THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.21175 OF 2006

DATED: 10-04-2007

BETWEEN

Rajanala Sai Rama Krishna,
S/o. Venkata Narsaiah,
Agriculturist,
R/o. Nimmalagudem Village,
Buttaigudem Mandal,
West Godavari District.

...PETITIONER

AND

The Special Deputy Collector,
Tribal Welfare,
K.R. Puram,
West Godavari District and another.

...RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents.

2. Petitioner submits that he is in possession of the land to an extent of Ac.8.28 cents in R.S.No.67 of Nimmalagudem Village, Buttaigudem Mandal, West Godavari District and the said property has been inherited by him from his father and he has been cultivating the same. He further submits that at the instance of the local tribals the respondents are interfering with his possession over the said property without initiating any proceedings under the Land Transfer Regulation Act (for short 'the Act'). He further submits that if his possession is illegal and contrary to the Act, it is open for the concerned authorities to initiate action and pass eviction orders in

accordance with law.

3. This Court while issuing notice before admission by order dated 13.10.2006 directed the respondents not to interfere with the possession of the petitioner without following due process of law.

As no counter is filed, I am of the opinion that it is just and proper to dispose the writ petition in terms of the said interim order.

The writ petition is accordingly disposed of directing the respondents not to interfere with the possession of the petitioner without following due process of law. There shall be no order as to costs.

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V. ESWARAIAH, J

April 10, 2007
DSK